

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID ECKERT,

Plaintiff,

v.

CV 13-727 JB/WPL

CITY OF DEMING, et al.,

Defendants.

ORDER SETTING SETTLEMENT CONFERENCE

To facilitate a final disposition of this case, a mandatory settlement conference will be conducted in accordance with Federal Rule of Civil Procedure 16(a)(5). The conference will be held on **December 13, 2013, at 9:00 a.m.** in the **Organ Courtroom** of the United States Courthouse and Federal Building, **100 North Church Street, Las Cruces, New Mexico.**

The parties or a designated representative, other than counsel of record, with full authority to make a final settlement decision, must attend in person. Counsel who will try the case must attend in person. All attorneys and parties involved in the settlement conference must treat as confidential the information discussed, positions taken, and offers made by other participants in preparation for and during the conference.¹

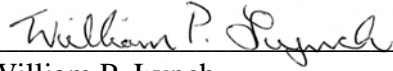
Each party must provide me, in confidence, a concise letter that shall contain an analysis of the strengths and weaknesses of its case. These letters may be sent to me by facsimile transmission at **575-528-1665** by **December 10, 2013.**

¹ This does not prohibit disclosures stipulated to by the parties, necessary in proceedings to determine the existence of a binding settlement agreement, or as otherwise required by law.

Furthermore, if any party has in its possession any video or audio recordings of the incident upon which this action is based, that party must send me a copy of the recording at least 7 calendar days before the conference.

The settlement conference may not be vacated or rescheduled except upon motion by the party or parties seeking to reschedule for good cause shown. Any motion to vacate or reschedule the settlement conference shall provide the Court with sufficient notice to ensure that other matters may be scheduled in the time allotted for the settlement conference.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge